

BEFORE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 12.3.403 pertaining to) PROPOSED AMENDMENT
replacement licenses)

TO: All Concerned Persons

1. On March 23, 2020, at 6:00 p.m., the Department of Fish, Wildlife and Parks (department) will hold a public hearing at the Fish, Wildlife and Parks Headquarters Building, 1420 E. 6th Avenue, Helena, Montana, to consider the proposed amendment of the above-stated rule.

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than March 13, 2020, to advise us of the nature of the accommodation that you need. Please contact Jessica Snyder, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 444-9785; or e-mail jesssnyder@mt.gov.

3. The rule as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

12.3.403 REPLACEMENT LICENSES (1) A person may replace a department-issued hunting license or permit that is lost, stolen, or destroyed by signing an affidavit affirming that the license was lost, stolen, or destroyed. A person may obtain and submit the affidavit at a department office or any department license provider.

(2) The person must appear personally at a department regional or area office or at headquarters in Helena, Montana ~~To~~ replace a lost, stolen, or destroyed license ~~requiring a carcass tag the~~ a second or subsequent time for the same species within a two-year period, the following apply:

(a) ~~a carcass tag is that portion of a hunting license that a person is required to affix to the carcass of an animal;~~

(b) ~~the two year period shall run from March 1 of the year of license purchase through February 28, 24 months later;~~

(c) ~~the person shall obtain, complete, and submit an affidavit affirming that the tag was lost, stolen, or destroyed;~~

(d) ~~the person shall appear personally at a department regional or area office or at headquarters in Helena, Montana to obtain, complete, and submit the affidavit.~~

(3) ~~A person may not replace a license requiring a carcass tag a third time for the same species within a two-year period. Subsection (2)(b) defines the two-year period.~~

(4) (3) The fee for each replacement license or permit issued under this rule is \$5.

AUTH: 87-2-104, MCA
IMP: 87-2-104, MCA

REASON: The department is transitioning from the thermal paper licenses and permits to regular paper for licenses and permits. This change may result in customers needing to replace licenses with more frequency. The proposed rule amendments make it more convenient for customers by removing the limit of reprints allowed and the requirement for customers to sign an affidavit to receive a replacement license or permit.

4. Concerned persons may submit their data, views, or arguments either orally or in writing to: Department of Fish, Wildlife and Parks, Attn: Licensing, P.O. Box 200701, Helena, MT, 59620-0701; or e-mail FWPLicensingRules@mt.gov, and must be received no later than March 27, 2020.

5. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be made by completing the request form at any rules hearing held by the department.

6. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

7. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Aimee Hawkaluk

Aimee Hawkaluk

Rule Reviewer

Department of Fish, Wildlife and Parks

/s/ Dustin Temple

Dustin Temple

Chief of Administration

Department of Fish, Wildlife and Parks

Certified to the Secretary of State February 18, 2020.